

REMARKS

Claims 1-11 and 13-26 are pending in this application. All were rejected under 35 USC §103(a) in view of the Keene and Ford publications.

The Ford Reference Is Not Prior Art

Unless Applicant has missed something in the priority chain of the Ford publication, then Ford is not prior art to Applicant and thus cannot be used in rejecting the application. Applicant's original filing date was over NINE YEARS ago ... June 15, 2000. The Ford publication is based on a utility application filed on November 3, 2003, and claiming priority from a provisional application filed on November 4, 2002. This means that the earliest possible effective date for the Ford publication falls more than two years after Applicant's filing date. Ford, therefore, is not prior art and is improperly used in this rejection.

The Office's Treatment of this Application

Applicant is beginning to wonder whether the Office has concluded that it simply will not allow this application under any circumstances and is attempting to tie up the application with suspect "prior art" until either Applicant gives up or the 20-year patent term has expired. Applicant points out that the Office has issued no less than SIX office actions, and almost four years have passed, since Applicant last had to amend the claims. Since then, the Office has issued new rejection after new rejection, each time backing down in favor of yet another new rejection after reading Applicant's reply. In its last two actions, the Office has cited (a) a piece of art that was "prior" by only a few weeks, and then only until Applicant proved earlier invention, and (b) a reference that does not even come close to being prior art. At the very least, Applicant believes that the Office has given itself to piecemeal examination of the worst kind over the last four years, conducting a new search after every one of Applicant's replies despite the fact that Applicant has submitted not one claim amendment during that time. Applicant would greatly appreciate a review of the history of the present application by the Office, and

assistance in obtaining a favorable conclusion to the prosecution of the present application.

CONCLUSIONS

The prior art of record does not show or suggest the invention claimed by Applicant. Therefore, all of the claims are allowable. Applicant asks the Office to reconsider this application and allow all of the claims.

The Office is authorized to charge any fees that may be due, except for the issue fee, to deposit account 50-4370.

Respectfully,



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